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 LOUELLA BOREN and LEROY BOREN

13  
 14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA

17 LOUELLA BOREN and LEROY BOREN,	)	Case No.: C 07-03532 EDL
	)	
18 Plaintiffs,	)	<b>STIPULATION OF THE PARTIES</b>
	)	<b>TO EXTEND PRE-TRIAL</b>
19 vs.	)	<b>DISCOVERY DATES AND</b>
	)	<b>[Proposed] ORDER THEREON</b>
20 J.C. PENNEY CORPORATION, INC.,	)	
	)	
21 Defendant.	)	Trial Date: December 8, 2008
	)	
22	)	Case Management Conference Date:
	)	May 20, 2008

23  
 24 Pursuant to the good faith meet and confer between counsel for the parties, it has been  
 25 determined that in light of the necessity for accommodations for plaintiffs' hearing disabilities  
 26 during their depositions, defense counsel's trial schedule in another matter, and cooperation in good  
 27 faith between the parties to make the parties and witnesses available for depositions, that the pre-  
 28 trial non-expert and expert discovery cannot be completed per the prior Court's order in this matter.

In addition, the parties wish to complete discovery for meaningful settlement negotiations. Therefore, the parties have stipulated to and respectfully request the Court's order on the following new discovery schedule in the above referenced matter. The Court's prior order is shown below in pertinent part with bolded items to be changed per the stipulation, for easy reference:

**4. Scheduling**

**Fact Discovery Cutoff:** (Current) May 15, 2008 (New: June 30, 2008)

**Expert Disclosure Deadline:** (Current) May 30, 2008 (New: July 16, 2008)

**Rebuttal Expert Disclosure:** (Current) June 13, 2008 (New: July 28, 2008)

Hearing of Dispositive Motions: August 18, 2008 *SAV m*

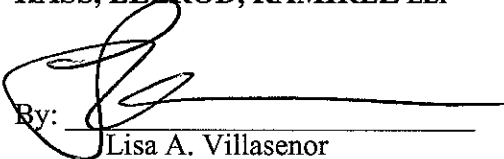
Pre-Trial Conference: November 18, 2008 *SAV m*

Trial: December 8, 2008 *SAV m*  
September 29, 2008

Respectfully submitted,

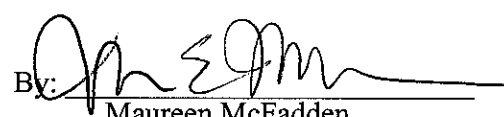
Dated: May 13, 2008

**MANNING & MARDER  
KASS, ELLROD, RAMIREZ LLP**

By:   
Lisa A. Villasenor  
Attorneys for Defendant,  
J.C. PENNEY CORPORATION, INC.

Dated: May 13, 2008

**LAW OFFICES OF  
MAUREEN E. MCFADDEN**

By:   
Maureen E. McFadden  
Attorneys for Plaintiffs,  
LOUELLA BOREN and LEROY BOREN

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**ORDER**

**IT IS HEREBY ORDERED,**

1. That the extensions requested and stipulated to between counsel, pursuant to their meet and confer, are acceptable to the Court;
2. That the new deadlines for pre-trial discovery shall be as follows:  
Fact Discovery Cutoff: June 30, 2008  
Expert Disclosure Deadline: July 16, 2008  
Rebuttal Expert Disclosure: July 28, 2008
3. Unless otherwise ordered by this Court, all other pre-trial dates remain the same.

Dated: May 10, 2008

  
Honorable Elizabeth D. Laporte

**CERTIFICATION OF SERVICE**

*LOUELLA BOREN AND LEROY BOREN v. J.C. PENNEY CORPORATION, INC.*  
 United States District Court - Northern District Case No.: (C 07-03532 EDL)

I am employed in the County of San Francisco, State of California. I am over the age of 18 and not a party to the within action; my business address is One California Street, Suite 1100, San Francisco, CA 94111.

On the date indicated below, I served the document described as **STIPULATION OF THE PARTIES TO EXTEND PRE-TRIAL DISCOVERY DATES AND [Proposed] ORDER THEREON** on the interested parties in this action by placing true copies thereof enclosed in sealed envelopes addressed as follows:

Maureen E. McFadden, Esq.  
 Law Offices of Maureen E. McFadden  
 819 Bancroft Way  
 Berkeley, CA 94710

**Attorney for Plaintiffs**  
**LOUELLA BOREN and LEROY BOREN**

Phone: (510) 845-5203  
 Fax: (510) 868-0976

☒ **(BY MAIL)** I caused such envelope to be deposited in the mail at San Francisco, California. The envelope was mailed with postage thereon fully prepaid.

I placed such envelope with postage thereon prepaid in the United States mail at San Francisco, California.

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at San Francisco, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ **(BY OVERNIGHT COURIER):** I placed the above-referenced document(s) in an envelope for collection and delivery on this date in accordance with standard \_\_\_\_\_ overnight delivery procedures.


☐ **(BY FACSIMILE)** I telecopied such document to the offices of the addressee at the following fax number:

☐ **(BY PERSONAL SERVICE)** I delivered such envelope by hand to the offices of the addressee.

☐ **(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ **(FEDERAL)** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on May 20, 2008 at San Francisco, California.



Carlos Rios